

CHAPTER 122: FOREIGN-TRADE ZONE

§ 122.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. North Coast Foreign-Trade Zone Board of Governors.

COMMITTEES. From time to time, the board may call for a committee to be established on a temporary basis to review various issues before the board.

EXECUTIVE SECRETARY. Executive Secretary means the Grantee Zone Administrator who will also function as the lead agent to the board.

FOREIGN-TRADE ZONE. The area, region and/or project for foreign-trade zone activities. This area, region and/or project is defined as the Greater Humboldt Bay Area of Northern California.

GRANTEE. The City of Eureka
(*Ord. 635-C.S., passed 9-17-00*)

§ 122.02 PURPOSE.

The purpose of this chapter is to create a board to advise the City Council on the activities of the foreign-trade zone project and to ensure the federally mandated marketing, support and administrative services are equitably applied to the participating cities and counties.

(*Ord. 635-C.S., passed 9-17-00*)

§ 122.03 PRINCIPLES AND POLICIES.

(A) The North Coast Foreign-Trade Zone Board of Governors (board) is created to encourage participation in the Foreign-Trade Zone Project by the cities and counties of the Greater Humboldt Bay Area of Northern California. Creation of the board will enable discussion, study and review of long-term zone marketing, support and administrative efforts. Further, the board shall be the forum to raise those problems and needs which require review and recommendations on an area-wide basis.

(B) The board is based upon the principle of equality of membership and nothing contained in this document shall authorize the board to intervene in matters which are strictly within the local jurisdiction of any member without its consent.

(C) The board is not intended to be in any form a substitute for local government. Its prime purpose is to be an organization through which individual

governmental units can provide input directly to the City Council (Grantee) concerning foreign-trade zone matters.

(Ord. 635-C.S., passed 9-17-00)

§ 122.04 GOALS.

The goals of the board are as follows:

(A) To provide a board for discussion and study of regional foreign-trade zone initiatives of mutual interest to area governments.

(B) To insure through cooperation and coordination, maximum efficiency and economy in foreign-trade zone operations.

(C) To identify problems that may be solved through mutual cooperation.

(D) To facilitate recommendations to the grantee regarding marketing, support and administration.

(E) To provide for the adoption of policies which may be beneficial to the regional foreign-trade zone project.

(Ord. 635-C.S., passed 9-17-00)

§ 122.05 FUNCTIONS.

The functions of the board are:

(A) Assure and advise that marketing efforts conducted for the regional foreign-trade zone project are focused on the entire region.

(B) Assure and advise that marketing activities are consistent with the grantee's marketing plan and are within proposed budget allocations.

(C) Assure and advise that marketing activities promote the region's efforts to develop jobs for existing and future residents.

(D) Advise that actions of the Foreign-Trade Zone Administrator are consistent with the public utility principle.

(E) Advise and recommend on the zone schedule annual fee adjustment.

(F) Advise on the general support to the foreign-trade zone project by any interested and/or participating party.

(Ord. 635-C.S., passed 9-17-00)

§ 122.06 POWERS.

The powers of the board shall include, but not be limited to the following:

(A) The study and development of policy matters and the formulation of policy recommendations as they relate to the foreign-trade zone marketing support or administration.

(B) The review of current and projected budget activities.

(C) The initiation and/or request for studies to be undertaken by the Foreign-Trade Zone Administrator or designee as deemed appropriate.

(D) The appointment of such committees as are considered necessary by the board.

(Ord. 635-C.S., passed 9-17-00)

§ 122.07 CREATION.

The North Coast Foreign-Trade Zone Board of Governors will be comprised of those members, recommended by the governmental entity or land/industry owner, appointed by the Mayor and ratified by the City Council, as follows:

(A) A member of the Eureka City Council.

(B) A member of the Humboldt County Board of Supervisors.

(C) A member of the Humboldt Bay Harbor District Board.

(D) A representative from Humboldt Bay Forest Products.

(E) An at-large member of the public.

(Ord. 635-C.S., passed 9-17-00; Am. Ord. 648-C.S., passed 9-18-01)

§ 122.08 OFFICERS AND TERMS.

The North Coast Foreign-Trade Zone Board of Governors shall be presided over by a chairperson and vice chairperson, both of whom must be voting members of the board, and shall be elected by the majority vote of the board at its first regular meeting held each year and shall serve for a period of one year. The first election of officers shall be held during the initial meeting of the board, with officers serving until the first meeting of the following year.

(Ord. 635-C.S., passed 9-17-00)

§ 122.09 VOTING.

Each representative shall have one vote.

(Ord. 635-C.S., passed 9-17-00)

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§ 122.10 MEETINGS.

(A) The board shall meet at least four times annually.

(B) At least 72 hours before a regular meeting, the agenda for that meeting shall be posted at the City Hall. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location of the regular meeting. No action shall be taken on any item not appearing on the posted agenda unless it meets one of the exceptions hereinafter described.

(C) A special meeting of the board may be called at any time by the chairperson, or by a majority of the board, by delivering personally or by mail, written notice to each member of the board and to each local newspaper of general circulation, radio or television station. The notice shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such special meeting. Written notice may be dispensed with as to any member who at or prior to the time the meeting convenes, files with the Executive Secretary a written waiver of notice. Written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Notice shall be required for a special meeting regardless of whether any action is taken at the special meeting. The call and notice for a special meeting shall be posted at least 24 hours prior to the special meeting at the offices of each participating entity.

(D) Every agenda for regular meetings shall provide an opportunity for members of the public to address the board on items of interest to the public that are within the subject matter jurisdiction of the board, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by Cal. Gov't Code §54954.2(b).

(E) The Executive Secretary of the board, or an employee designated by the Executive Secretary, shall prepare a certificate of posting for each agenda posted as required by these operating procedures. Such certificates shall be kept on file in the records of the board for a period of three years.

(F) Any regular meeting of the board may be canceled by the chairman upon giving of at least 72 hours written notice to all members of the board.

(G) Notice of regular meetings shall be mailed or delivered personally to each member of the board at least five days prior to each meeting and accompanying the notice shall be the written agenda for that meeting, and supporting or pertinent documents relating to the agenda items.

(H) The board may adopt its own rules and procedures for its meetings, which are not in conflict with those operating procedures. Robert's Rules of Order shall be followed if no contrary rule has been adopted by the board.

(I) The committee shall meet on the call of the chairman of the committee.
(*Ord. 635-C.S., passed 9-17-00*)

§ 122.11 FINANCES.

(A) The North Coast Foreign-Trade Zone Board of Governors shall have fiduciary responsibility limited to the provision of an annual contribution and may advise the City Council on the allocation of funds. Expenses incurred by the board, or members thereof, in the authorized (majority vote) performance of duties specified under the purpose of this organization and approved by the grantee will be reimbursed by the city.

(B) The board shall have the power to receive bequests, donations, grants and gifts of all kinds of property, in fee simple, and to do all acts necessary to carry out the purposes of such in accordance with the terms of the bequests, donations, grants or gifts, or absolutely in case no conditions were attached.

(C) The board shall not be empowered to levy taxes, or authorized to exercise any administrative or legislative authority over the member agencies.

(D) The city, County of Humboldt and Humboldt Bay Harbor District shall each make an annual contribution, in an amount determined by the board, for the administration and marketing of the Foreign Trade Zone.

(Ord. 635-C.S., passed 9-17-00; Am. Ord. 648-C.S., passed 9-18-01)

§ 122.12 EXECUTIVE SECRETARY.

(A) The Executive Secretary shall be appointed by the City Council (grantee). The person shall also function as the Foreign-Trade Zone Administrator.

(B) The Executive Secretary shall maintain, or cause to be maintained, the correspondence, library, records and archives of the board.

(C) The Executive Secretary, or his or her designee, shall prepare, or cause to be prepared, all regular or special reports, studies and reviews, as requested by the board or its committees.

(Ord. 635-C.S., passed 9-17-00)

§ 122.13 OPERATING PROCEDURES.

The Foreign-Trade Advisory Board may adopt such operating procedures it deems necessary to perform its function. Such operating procedures shall be approved by a majority vote of the board at a regularly scheduled meeting of the board. The operating procedures may be amended from time to time by the majority vote of the board after proper public notice.

(Ord. 635-C.S., passed 9-17-00)